

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
MONTAMER CORPORATION,

Plaintiff,

-vs-

HARTFORD INSURANCE COMPANY OF  
THE MIDWEST,

Defendant.  
-----X

PLAINTIFF'S  
ANSWER TO  
COUNTERCLAIMS  
IN ANSWER TO  
AMENDED COMPLAINT

07 CIV 6531-KMK

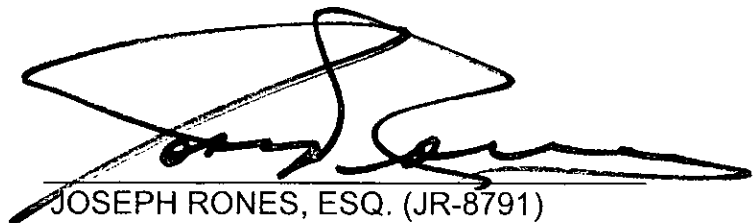
Plaintiff, Montamer Corporation, by and through its attorneys, Finkelstein & Partners, LLP, answers the Counterclaims of Defendant's Answer as follows:

1. Admits allegations contained in unnumbered paragraph following the heading "Counterclaims" and preceding paragraph numbered "28"; paragraph numbered "28", paragraph numbered "29".
2. With respect to paragraph numbered "31", admits that Mr. Picuric sold the premises and began packaging Montamer's inventory in preparation of the move to a smaller location; denies the remainder of the allegation.
3. With respect to paragraph numbered "35", admits that a fire occurred on March 25, 2006; denies the remainder of the allegation.
4. With respect to paragraph numbered "36", admits that Montamer presented a claim to Hartford for damage sustained during the fire; denies the remainder of the allegation.

5. With respect to paragraph numbered "37", admits that in a letter dated July 3, 2007, Hartford notified Montamer that it was disclaiming insurance coverage; denies that the only basis for the denial was fraud; admits that a copy the disclaimer letter is attached to the Answer as Exhibit B.
6. With respect to paragraphs numbered "38" and "39" the language of the Policy speaks for itself.
7. Denies each and every allegation contained in paragraphs numbered "30", "32", "33", "34", "40", "42", "43", "45" and "46" of defendant's counterclaims.

WHEREFORE, plaintiff, Montamer Corporation, demand judgment dismissing defendant's counterclaims in the answer, together with plaintiff's costs and disbursements.

August 6, 2008

A handwritten signature in black ink, appearing to read 'Joseph Rones', is written over a horizontal line.

JOSEPH RONES, ESQ. (JR-8791)  
of FINKELSTEIN & PARTNERS, LLP  
436 Robinson Avenue  
Newburgh, N.Y. 12550

TO: Robinson & Cole, LLP  
885 Third Avenue, Suite 2800  
New York, NY 10022

CERTIFICATE OF SERVICE

I, Eleanor L. Polimeni, an attorney at law of the State of New York admitted to practice in the State and Federal Courts of the State of New York, hereby certifies under penalty of perjury, that on August 6, 2008, I caused a copy of Plaintiff's Answer to Counterclaims in Answer to Amended Complaint to be served by depositing same in a depository of the United States Postal Service via first class delivery upon:

Robinson & Cole LLP  
885 Third Avenue, 28<sup>th</sup> Floor  
New York, N.Y. 10022

A handwritten signature in cursive script, reading "Eleanor L. Polimeni", is written over a horizontal line.

ELEANOR L. POLIMENI, ESQ.